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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/486,787	03/02/2000	JOHN P. HART	36968/191614	1002

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EXAMINER

MILLER, BRANDON J

ART UNIT PAPER NUMBER

2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/486,787

Applicant(s)

HART ET AL.

Examiner

Brandon J. Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-18 is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

Allowable Subject Matter

Claims 9-18 allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 9 the prior art does not teach or fairly suggest "programming the dispatch computer to determine the length of a dispatch order and, based upon the determined length, formulate the dispatch order into one message or multiple, related messages".

Claims 10-16 are allowable based on their dependence of claim 9.

Regarding claim 17 the prior art does not teach or fairly suggest "programming the dispatch computer to: ...determine the length of the new dispatch order and, based upon the determined length, formulate the new dispatch order into one message or multiple, related messages:"

Regarding claim 18 the prior art does not teach or fairly suggest "programming the dispatch computer to: ...determine the length of the new dispatch order and, based upon the determined length, formulate the new dispatch order into one SMS message or multiple, related SMS messages;"

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shah et al. (5,636,122) in view of Ray et al. (6,067,529).

Regarding claim 1 Shah teaches a method for dispatching work orders and receiving status information concerning such orders via a communications network adapted to communicate two- way messages (see col. 11, lines 49-54, col. 15, lines 1-3, and col. 17, lines 8-10 & 14-26). Shah teaches coupling a communication device to a dispatch computer, wherein the communication device is adapted to send and receive two-way messages and wherein the message includes status-type information (see col. 11, lines 49-55, col. 12, lines 36-43 and col. 17, lines 8-10 & 14-26). Shah teaches formatting a dispatch order into at least one two-way message; and forwarding the two-way message over the communication network to a selected communication device or group of communication devices (see col. 11, lines 49-57 and col. 17, lines 8-10 & 14-26). Shah does not specifically teach a network adapted to communicate short message service ("SMS") messages, sending and receiving messages in a SMS format, determining the length of the dispatch order and, based upon the determined length, formulating the dispatch order into one SMS message or multiple, related SMS messages, reformatting the SMS message into an Internet packet, and forwarding the Internet packet over a communications network. Ray teaches a network adapted to communicate short message service ("SMS")

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messages and sending/receiving messages in a SMS message format (see col. 4, lines 15-20).

Ray teaches formulating information into one SMS message (see col. 4, lines 16-20, formulating information into one SMS message inherently includes a determination related to the amount of information the SMS message is generated from). Ray teaches reformatting the SMS message into an Internet packet, and forwarding the Internet packet over a communications network (see col. 5, lines 10-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the two-way messaging system in Shah to include a system adapted to communicate short message service ("SMS") messages, determining the length of the dispatch order and, based upon the determined length, formulating the dispatch order into one SMS message or multiple, related SMS messages, and reformatting the SMS message into an Internet packet for transmission because a two-way message can be sent over the Internet and this would allow for efficient data communication between a computer aided dispatch system and a remote communication device.

Regarding claim 2 Shah teaches a selected communication device that is provided with a response to the dispatch order (see col. 17, lines 12-23). Shah teaches formulating at least a portion of the response into a reply two-way message (see col. 11, lines 49-54 and col. 17, lines 13-15). Shah teaches forwarding from the selected communication device a reply message containing the response to the communication device, wherein the communication device provides at least a portion of the two-way message to the dispatch computer for storage or display (see col. 17, lines 12-26). Shah does not specifically teach a network adapted to communicate short message service ("SMS") messages. Ray teaches a network adapted to communicate short message service ("SMS") messages (see col. 5, lines 10-15). It would have

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been obvious to one of ordinary skill in the art at the time the invention was made to modify the two-way messaging system in Shah to include a system adapted to communicate short message service ("SMS") messages because this would allow for efficient data communication between a computer aided dispatch system and a remote communication device.

Regarding claim 3 Shah teaches a response that comprises status information describing the status of the dispatch order (see col. 17, lines 12-19).

Regarding claim 4 Shah teaches programming a dispatch computer to: allow creation of a new dispatch order (see col. 17, lines 16-19 & 28-36). Shah teaches updating a database associated with the dispatch computer that stores each dispatch order and information concerning the status of each dispatch order; and transmit upon command from the dispatch operator the one or multiple SMS messages (see col. 17, lines 16-19 & 28-36).

Regarding claim 5 Shah teaches displaying on a dispatch computer pending dispatch orders; and updating the database upon the receipt of a reply message from a selected mobile unit concerning the dispatch order being addressed by the mobile unit (see col. 17, lines 5-10 & 14-19). Shah does not specifically teach a reply SMS message from a selected service technician. Shah does teach mobile entities that include people performing service related tasks (see col. 5, lines 23-35). Ray teaches transmitting SMS messages from one or more stations to one or more stand-alone devices (see col. 4, lines 15-20 and col. 5, lines 17-19). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the two-way messaging system in Shah to include a reply SMS message from a selected service technician because this would allow for efficient data communication between a computer aided dispatch system and a remote communication device.

Regarding claim 6 Shah teaches a method for dispatching orders to mobile units remotely and receiving responsive information from such mobile units concerning orders via at least one wireless network adapted to transmit two-way messages to allow communication among a central processor and mobile units without making a wireless telephone call (see col. 11, lines 25-31 & 49-58 and col. 17, lines 8-10 & 14-26). Shah teaches providing each mobile unit with a processor and a transceiver adapted to communicate via two-way messages (see col. 5, lines 23-35, col. 10, lines 10-20, and col. 11, lines 49-54). Shah teaches periodically causing a central processor to formulate a two-way message to a selected mobile unit that provides the mobile unit a dispatch order, wherein the two-way message includes status-type information (see col. 17, lines 8-10 & 14-26). Shah teaches transmitting a message over a wireless network via a two-way messaging center within a wireless network; and receiving the message at a selected mobile units transceiver (see col. 11, lines 49-58 and col. 17, lines 8-10 & 14-26). Shah does not specifically teach dispatching orders to service technicians, communicating short message service ("SMS") messages, a short message center coupled to a mobile switching center, determining the length of the dispatch order and, based upon the determined length, formulating the dispatch order into one SMS message or multiple, related SMS messages, reformatting a message into at least one Internet packet; and transmitting the message over an IP network. Shah does teach mobile entities that include people performing service related tasks (see col. 5, lines 23-35). Ray teaches communicating short message service ("SMS") messages (see col. 4, lines 16-20). Ray teaches formulating information into one SMS message (see col. 4, lines 16-20, formulating information into one SMS message inherently includes a determination related to the amount of information the SMS message is generated from). Ray teaches a short message center coupled to a mobile

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switching center and reformatting a message into at least one Internet packet; transmitting the message over an IP network (see col. 5, lines 10-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the two-way messaging system in Shah to include a system adapted for dispatching orders to service technicians, communicating short message service ("SMS") messages, a short message center coupled to a mobile switching center, determining the length of the dispatch order and, based upon the determined length, formulating the dispatch order into one SMS message or multiple, related SMS messages, reformatting a message into at least one Internet packet; and transmitting the message over an IP network because a two-way message can be sent over the Internet and this would allow for efficient data communication between a computer aided dispatch system and a remote communication device.

Regarding claim 7 Shah teaches receiving from a selected mobile unit a response message indicating status of an order (see col. 17, lines 14-19).

Regarding claim 8 Shah teaches receiving and storing response messages from multiple mobile units, in which each responsive message indicates the status of a dispatch order being fulfilled by the respective mobile unit (see col. 5, lines 36-44, col. 17, lines 14-19 and FIG. 5).

Response to Arguments

Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Regarding independent claims 1 and 6 the combination of Shah and Ray teach a device as claimed. Ray teaches formulating information into one SMS message (see col. 4, lines 16-20). This relates to determining the length of the dispatch order and, based upon the determined

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length, formulating the dispatch order into one SMS message or multiple, related SMS messages because formulating information into one SMS message inherently includes a determination related to the amount of information the SMS message is generated from).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

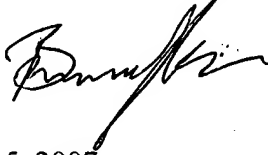
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J. Miller whose telephone number is 571-272-7869. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to be "D. M. K.", written over a horizontal line.

April 5, 2007

A handwritten signature in black ink, appearing to be "George Eng", written in a cursive style.

GEORGE ENG
SUPERVISORY PATENT EXAMINER